

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 16: Intergovernmental Case Processing	Effective Date: 11/26/2019
	Section 5: Initiating an Action Under UIFSA	Version: 1 Revision Date: 11/26/2019

BACKGROUND

The process of sending a request to another state for assisting in establishing paternity/parentage or establishing or enforcing a child support order is called initiating a case or action.

POLICY

Upon determining that it is necessary to initiate a case to a responding jurisdiction, the Title IV-D Prosecutor shall initiate and process an intergovernmental request for services within the appropriate federal time frames.¹

REFERENCES

- [45 C.F.R. § 303.7](#): Provision of services in intergovernmental IV-D cases

PROCEDURE

1. Prior to Initiating a Case

In preparing to initiate a case, the Title IV-D Prosecutor shall:

- Determine whether there is a child support order(s) in effect;²
- When there are multiple child support orders, determine in which state the determination of controlling orders should be made;³ and
- Determine whether the non-custodial parent is in another jurisdiction and whether one state remedies are appropriate.⁴

Within 20 calendar days of making these determinations and receipt of any additional information needed to proceed on the case, the Title IV-D Prosecutor shall:

- Either ask the appropriate Indiana court or refer the case to the appropriate state central registry for a determination of controlling order;⁵ and
- Refer the case to the appropriate state central registry, tribal Title IV-D program, or central authority of a country for action.⁶

¹ 45 C.F.R. § 303.7(c)

² 45 C.F.R. § 303.7(c)(1)

³ 45 C.F.R. § 303.7(c)(2)

⁴ 45 C.F.R. § 303.7(c)(3)

⁵ 45 C.F.R. § 303.7(c)(4)(i)

⁶ 45 C.F.R. § 303.7(c)(4)(ii)

2. Actions of the Initiating State

a. Providing Information

The Title IV-D Prosecutor shall provide the responding agency with sufficient, accurate information by submitting any necessary documentation required by the responding agency.⁷

Within 30 calendar days of receipt of a request for additional information, the Title IV-D Prosecutor shall provide the responding agency with any necessary additional documentation or notify the responding agency when the information will be provided.⁸

The Title IV-D Prosecutor shall notify the responding agency, at least annually and upon request of any interest being charged that is owed on overdue support.⁹

b. Enforcement

When Indiana is the initiating state, the Child Support Bureau (CSB) shall submit cases that qualify for federal tax offset to the Office of Child Support Enforcement (OCSE).¹⁰

The Title IV-D Prosecutor is strongly encouraged to send a status request to the responding agency if payments are not being made pursuant to the court order.

Foreign countries may have different enforcement remedies than the United States. Enforcement that requires the cooperation of a foreign country should be handled on a case by case basis.

c. Payment Processing

The initiating state is required to distribute and disburse child support collections pursuant to the federal rules of distribution.¹¹

If, as the initiating agency, the Title IV-D Prosecutor has closed its case and has not notified the responding agency to also close its case, the initiating agency is required to accept, distribute, and disburse any payment received from the responding agency.¹²

d. Review and Adjust

⁷ 45 C.F.R. § 303.7(c)(5)

⁸ 45 C.F.R. § 303.7(c)(6)

⁹ 45 C.F.R. § 303.7(c)(7)

¹⁰ 45 C.F.R. § 303.7(c)(8)

¹¹ 45 C.F.R. § 303.7(c)(10); Chapter 14: Payment Processing, Section 3: Distribution and Disbursement of Support Payments Collected

¹² 45 C.F.R. § 303.7(c)(13)

The Title IV-D Prosecutor shall send a request for a review of a child support order to the responding jurisdiction within 20 calendar days of determining that a review is necessary.¹³

When the responding state requests information necessary for the review, the Title IV-D Prosecutor shall send necessary documentation within 20 calendar days of receipt of the request.¹⁴

e. Case Closure

The Title IV-D Prosecutor shall notify the responding agency that it has closed its case and the basis for case closure within ten (10) business days of closing the case.¹⁵

The Title IV-D Prosecutor shall instruct the responding agency to close its case and stop any income withholding order (IWO) or notice the responding agency has sent to an employer.¹⁶ The Title IV-D Prosecutor shall not send an IWO or notice on the case until instructing the responding agency to terminate its IWO to the same or new employer unless an alternative agreement is made between the agencies as to how to proceed.¹⁷

3. Forms and Documents

OCSE forms must be used in all interstate cases.¹⁸ However, tribal Title IV-D agencies and foreign countries are not required to use OCSE forms. OCSE and CSB have each created an informational forms matrix, linked below in Forms and Tools, to assist the Title IV-D Prosecutor in selecting the correct forms to use for each case action.

Uniform Interstate Family Support Act (UIFSA) requires that a foreign petition or pleading must “conform substantially” with the federal forms. OCSE, recognizing, that foreign countries may use alternative forms, have made agreements with each foreign reciprocating country (FRC) as to which forms and documents the child support agency should send to the FRC when requesting child support action.¹⁹ Many foreign jurisdictions use the OCSE forms when seeking action by a state tribunal; however, a Title IV-D agency cannot refuse a case if information is omitted from the forms.

FORMS AND TOOLS

1. [CSENet for Initiating Intergovernmental \(UIFSA\) Cases](#)
2. [Federal Interstate Time Frames UIFSA](#)
3. [Indiana Intergovernmental Case Transfer Form](#)

¹³ 45 C.F.R. § 303.7(c)(9)

¹⁴ 45 C.F.R. § 303.7(c)(9)

¹⁵ 45 C.F.R. § 303.7(c)(11)

¹⁶ 45 C.F.R. § 303.7(c)(12)

¹⁷ 45 C.F.R. § 303.7(c)(12)

¹⁸ 45 C.F.R. § 303.7(a)(4)

¹⁹ 45 C.F.R. § 303.7(a)(4)

4. [Intergovernmental Case Management UIFSA FAQ](#)
5. [Intergovernmental Case Transfer Checklist](#)
6. [Initiating Intergovernmental Cases Checklist](#)
7. [Initiating Intergovernmental \(Outgoing UIFSA\) Smart Guide](#)
8. [Intergovernmental Forms Matrix \(OCSE\)](#)
9. [UIFSA Matrix \(CSB\)](#)

FREQUENTLY ASKED QUESTIONS

N/A

RELATED INFORMATION

Chapter 14: Payment Processing, Section 3: Distribution and Disbursement of Support Payments Collected